



U.S. Department of Justice

Environment and Natural Resources Division

90-11-3-07683/2

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November 19, 2004

Clerk of Court
United States Bankruptcy Court
for the Northern District of California
Oakland Division
1300 Clay Street
Suite 300
Oakland, California 94612

Re: Hexcel Corporation
Case No. 93-48535 T

Hexcel Corporation v. New Jersey Department of Environmental Protection;
and United States Environmental Protection
A.P. No. 04 4246

Dear Clerk,

Enclosed for filing, please find an original and three copies of a Stipulation For Extension For Filing Briefs in the above referenced matters. The Certificate of Service is included. Please contact Elise Feldman at (202) 514-3483 with any questions you might have. Thank you.

Very truly yours,

Calisa Smith

Calisa M. Smith

Enclosures (all by Federal Express)

cc: Katherine D. Ray, Goldberg, Stinnett, Meyers & Davis
Steven L. Leifer, Baker Botts LLP
Stephen L. Johnson, AUSA N.D.CA
Kedari Reddy, US EPA Region II
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18 United States Environmental Protection Agency

11 IN THE UNITED STATES BANKRUPTCY COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION
14

15 In re:

Case No. 93-48535 T

16 HEXCEL CORPORATION, a Delaware
17 corporation,

Chapter 11

18 Reorganized Debtor.

19
20 HEXCEL CORPORATION, a Delaware
21 corporation,

A.P. No. 04-4246

22 Plaintiff,

23 vs.

24 NEW JERSEY DEPARTMENT OF
25 ENVIRONMENTAL PROTECTION,
26 UNITED STATES ENVIRONMENTAL
27 PROTECTION AGENCY,

28 Defendants.

STIPULATION FOR EXTENSION FOR FILING BRIEFS

1 This Stipulation is entered into by and among Hexcel Corporation, a Delaware corporation
2 and the reorganized debtor and plaintiff herein ("Hexcel"), the New Jersey Department of
3 Environmental Protection, a defendant herein (the "NJDEP"), and the United States Environmental
4 Protection Agency, a defendant herein (the "USEPA"), through their respective counsel of record, as
5 follows:

6 **RECITALS**

7 WHEREAS, Hexcel, NJDEP and USEPA (collectively, "the Parties") have entered into Joint
8 Rule 26(f) Discovery Plan that was filed with the court on October 5, 2004 (the "Discovery Plan");

9 WHEREAS, the Discovery Plan sets forth certain deadlines for the "initial filing of
10 dispositive motions;"

11 WHEREAS, on October 18, 2004, the court set February 17, 2005 as the date that these Initial
12 Dispositive Motions will be heard;

13 WHEREAS, the parties have conferred and have agreed to amend the Discovery Plan only as
14 it pertains to the deadlines for filing the Initial Dispositive Motions;

15 NOW, THEREFORE, the Parties hereby stipulated and agree as follows:

16 **STIPULATED TERMS**


17 1. Subject to Bankruptcy Court approval, the parties hereto agree to the following
18 deadlines:

- 19 a. November 29, 2004: Day for filing Initial Dispositive Motions
20 b. January 18, 2005: Objections to Initial Dispositive Motions Due
21 c. February 8, 2005: Replies to Objections to Initial Dispositive Motions Due
22
23

24 Respectfully Submitted,

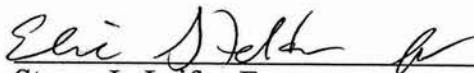
25
26 THOMAS L. SANSONETTI
27 Assistant Attorney General
28 Environment and Natural Resources Division
U.S. Department of Justice
Washington, D.C. 20530

1
2 Dated: November 19, 2004


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8
9 Dated: November 19, 2004

GOLDBERG, STINNETT, MEYERS & DAVIS
A Professional Corporation
and
BAKER BOTTS LLP

12
13 By: 
Steven L. Leifer, Esq.
Attorneys for Hexcel Corporation, Plaintiff

15 DATED: November 19, 2004

ATTORNEY GENERAL OF NEW JERSEY

18 By: 
Joan Olawski-Stiener, Esq.
Deputy Attorney General
Attorneys for defendant, The New Jersey
Department of Environmental Protection

23 **ORDER**

24 It is so ORDERED.

25 Dated: November ____, 2004

26 THE HONORABLE LESLIE TCHAIKOVSKY
27 United States Bankruptcy Judge
28

CERTIFICATE OF SERVICE

I, Calisa Smith, am a Legal Support Assistant at the United States Department of Justice, Environment and Natural Resources Division, Environmental Enforcement Section and I hereby certify that on this 19th day of November, 2004, I forwarded a copy of this Stipulation for Extension for Filing Briefs via Federal Express to all attorneys of record in this matter to the addresses set forth below:

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Nov. 19, 2004
Date:

Calisa M Smith
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Legal Support Assistant